

111TH CONGRESS
1ST SESSION

H. R. 2637

To amend the Internal Revenue Code of 1986 to increase the age at which distributions from qualified retirement plans are required to begin and to extend the waiver of required minimum distribution rules for certain retirement plans and accounts through 2010.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Mr. SENSENBRENNER introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to increase the age at which distributions from qualified retirement plans are required to begin and to extend the waiver of required minimum distribution rules for certain retirement plans and accounts through 2010.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXTENSION OF WAIVER OF REQUIRED MIN-**
4 **IMUM DISTRIBUTION RULES FOR CERTAIN**
5 **RETIREMENT PLANS AND ACCOUNTS.**

6 (a) IN GENERAL.—Subclause (i) of section
7 401(a)(9)(H) of the Internal Revenue Code of 1986 is

1 amended by striking “calendar year 2009” and inserting
2 “calendar years 2009 and 2010”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Clause (ii) of section 401(a)(9)(H)(ii) of
5 such Code is amended—

6 (A) by striking “2009” in subclause (I)
7 and inserting “2010”, and

8 (B) by striking “calendar year 2009” in
9 subclause (II) and inserting “calendar years
10 2009 and 2010”.

11 (2) The last sentence of section 402(c)(4) of
12 such Code is amended—

13 (A) by striking “distribution during 2009”
14 and inserting “distribution during calendar year
15 2009 or 2010”, and

16 (B) by striking “applied during 2009” and
17 inserting “applied during such calendar year”.

18 (c) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendments made by
20 this section shall apply for calendar years beginning
21 after December 31, 2009.

22 (2) PROVISIONS RELATING TO PLAN OR CON-
23 TRACT AMENDMENTS.—

24 (A) IN GENERAL.—If this paragraph ap-
25 plies to any pension plan or contract amend-

1 ment, such pension plan or contract shall not
2 fail to be treated as being operated in accord-
3 ance with the terms of the plan during the pe-
4 riod described in subparagraph (B)(ii) solely be-
5 cause the plan operates in accordance with this
6 section.

7 (B) AMENDMENTS TO WHICH PARAGRAPH
8 APPLIES.—

9 (i) IN GENERAL.—This paragraph
10 shall apply to any amendment to any pen-
11 sion plan or annuity contract which—

12 (I) is made pursuant to the
13 amendments made by this section,
14 and

15 (II) is made on or before the last
16 day of the first plan year beginning
17 on or after January 1, 2012.

18 In the case of a governmental plan, sub-
19 clause (II) shall be applied by substituting
20 “2013” for “2012”.

21 (ii) CONDITIONS.—This paragraph
22 shall not apply to any amendment unless
23 during the period beginning on the effec-
24 tive date of the amendment and ending on
25 December 31, 2010, the plan or contract is

1 operated as if such plan or contract
2 amendment were in effect.

3 **SEC. 2. INCREASE IN AGE FOR REQUIRED DISTRIBUTIONS.**

4 (a) IN GENERAL.—Subparagraphs (B)(iv)(I) and (C)
5 of section 401(a)(9) of the Internal Revenue Code of 1986
6 are each amended by striking “70½” each place it ap-
7 pears and inserting “75”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 219(d)(1) of such Code is amended
10 by striking “70½” in the heading and the text and
11 inserting “75”.

12 (2) Section 408(c)(4) of such Code is amended
13 by striking “70½” in the heading and the text and
14 inserting “75”.

15 (3) Section 408(b) of such Code is amended by
16 striking “70½” and inserting “75”.

17 (4) Section 457(d)(1)(A)(i) of such Code is
18 amended by striking “70½” and inserting “75”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall apply to years beginning after the date
21 of the enactment of this Act.

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